



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

May 22, 2019

Sent by Electronic Mail – Document Access Verification Requested

Russell Wider
Environmental Engineer
City of Tallahassee
300 South Adams Street
Tallahassee, Florida 32301-1731
Russell.Wider@talgov.com

RE: Arvah B. Hopkins Generating Station
Modification to Conditions of Certification
DEP Case Number PA74-03Q
OGC Case Number 19-0092

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Wider:

On May 20, 1975, the Florida Pollution Control Board issued a Site Certification to the City of Tallahassee (COT) for the construction, operation, and maintenance of the Arvah B. Hopkins Generating Station (Hopkins) in Leon County. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for Hopkins by Final Order on sixteen other occasions.

The Department has reviewed COT's petition, dated January 8, 2019, for a modification to Hopkin's Site Certification order pursuant to §403.516(1)(c), Florida Statutes (F.S.), to authorize the installation of a fifth natural gas-fired reciprocating internal combustion engine.

On April 5, 2019, all parties to the certification proceeding were provided notice of the Department's intent to modify the Conditions for Hopkins. On April 9, 2019, a notice of the Department's intent to modify the Conditions for Hopkins was also published in the Florida Administrative Register (FAR).

Pursuant to §403.516, F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), all parties to the certification proceeding have 45 days from the issuance of notice in

which to file a written objection to the modification. Pursuant to §403.516, F.S., and Rule 62-17.211, F.A.C., any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice in the FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party.

These timeframes have expired and the Department has received no objections to the modification. Therefore, the Conditions for Hopkins are modified as shown in strike-through/underline notation in the proposed Conditions of Certification for Modification Q, which can be downloaded at the following file transfer protocol (ftp) site:
http://publicfiles.dep.state.fl.us/Siting/Outgoing/COT%20Hopkins/Modifications/Mod_Q_2019_5th_RICE_Inclusion/Conditions/Proposed_Conditions_Mod_Q.pdf.

The final Conditions of Certification (including attachments) may be viewed and obtained from the following website:
http://publicfiles.dep.state.fl.us/Siting/Outgoing/Web/Certification/pa74_03_2019_Q.pdf.

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Rd., M.S. 5500, Tallahassee, Florida, (850) 717-9000.

Any party to the this Order has a right to seek judicial review of it pursuant to §120.68, F.S., by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Sincerely,

Cindy Mulkey
Administrator,
Siting Coordination Office

CC by Electronic Mail:

District Director, DEP: shawn.hamilton@dep.state.fl.us

District Liaison, DEP: brad.hartshorn@dep.state.fl.us

Apalachee Regional Planning Council: Chris.Rietow@thearp.com

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Clerk

Date

Service List: Sent by Electronic Mail – Document Access Verification Requested

Michael Weiss, Esquire Department of Environmental Protection 3900 Commonwealth Blvd., M.S. 35 Tallahassee, Florida 32399-3000 michael.weiss@dep.state.fl.us	Susan Schwartz Esquire Jasmin Raffington Department of Transportation 605 Suwannee Street, MS 58 Tallahassee, Florida 32399-0458 susan.schwartz@dot.state.fl.us jasmin.affington@dot.state.fl.us
Andrew S. Grayson, Esquire Florida Fish & Wildlife Conservation Commission 620 South Meridian Street Tallahassee, Florida 32399-1600 andrew.grayson@myfwc.com FWCConservationPlanningServices@myfwc.com	Brooke Lewis, Esquire Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Tallahassee, Florida 32301 brookel@hgslaw.com
Jon Morris, Esquire Scott Rogers Department of Economic Opportunity 107 East Madison Street Tallahassee, Florida 32399 Jon.Morris@deo.myflorida.com Scott.Rogers@deo.myflorida.com	Herbert Thiele, Esquire Leon County Attorney 301 South Monroe Street, Suite 202 Tallahassee, Florida 32301 thiele@leoncountyfl.gov
Lee Eng Tan, Esquire Florida Public Service Commission Office of General Counsel 2450 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 LTan@psc.state.fl.us	Breck Brannen, Esquire Northwest Florida Water Management District Office of Counsel 215 South Monroe Street, Suite 200 Tallahassee, Florida 32301 breck@penningtonlaw.com
Carlos A. Rey, Esquire Department of State Division of Historical Resources R.A. Gray Building 4th Floor 500 South Bronough Street Tallahassee, Florida 32399-0250 carlos.rey@dos.myflorida.com jason.aldridge@dos.myflorida.com Robin.Jackson@dos.myflorida.com	